

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	18th September, 2013
3.	Title:	Terms of Reference for the Independent Inquiry into Previous Cases of Child Sexual Exploitation.
4.	Directorate:	Chief Executive

5. Summary

1. The Council assisted the Home Affairs Select Committee Inquiry into Localised Grooming in January of this year. The Council welcomed the report published in June. It is a substantive body of evidence that should be used by all agencies to improve the way child protection services are provided.
2. On the 29th August the Police and Crime Commissioner announced three inquiries into matters relating to child sexual exploitation. The Terms of Reference of these inquiries are not yet available.
3. Members will be aware there has been substantial media coverage during the last 12 months regarding young people from within Rotherham who have been sexually exploited in the past. The cases referred to make very distressing reading. The reporting of the cases gives a very stark message that things went badly wrong.
4. At its meeting on 4th September the Cabinet resolved to commission an Independent Inquiry into historic child sexual exploitation cases in Rotherham and required that the Terms of Reference and approach to be brought to this Cabinet meeting.
5. The Terms of Reference for the Inquiry are attached as Appendix 1 and process for appointing a person of appropriate calibre to undertake the Inquiry is set out in the report.

6. Recommendations

That Cabinet:-

- 1) Endorses the Terms of Reference for the Independent Inquiry and the process for appointing a person of appropriate calibre to undertake the Inquiry. Should the person appointed suggest amendments to the Terms of

Reference, the Chief Executive has the delegated authority to agree any such amendments (with any changes being reported to Cabinet).

- 2) Authorises the Chief Executive to make appropriate budget provision for the Independent Inquiry.
- 3) Receives a further report confirming the appointment of the Independent Person and Inquiry costs when known.
- 4) Receives the Inquiry report once finalised, together with recommendations on action the Council proposes to take in response to the findings of the Inquiry.
- 5) Agrees that both the Inquiry report and the Council's response be made public in a timely way following its completion.

7. Proposals and details

Background

As it is essential that the Council progresses the Inquiry as soon as possible the report needs to be considered as a matter of urgency.

In June the Home Affairs Select Committee (HASC) published a report into localised grooming. It represents a substantive body of evidence and one of the few in-depth studies that has ever been carried out regarding this particular form of child sexual exploitation. The report contains a series of recommendations that are intended to catalyse all agencies involved in the protection of young people to improve their services. The report did not make comfortable reading for this Council and delivered a similar stark message about the past failures of our services to protect young people in our town from harm.

The Council welcomed the report. The Council assured the HASC that it had improved its services since that time but knew more still needed to be done and was committed to further improvements. The HASC report was seen as one of the means that would help the Council to accelerate its improvement journey. The recommendations have since been incorporated within the Local Safeguarding Children's Board (LSCB) action plan and are being implemented.

One of the key messages in the HASC report, and which also features in other documents, is the unpalatable reality that child sexual exploitation exists in every town and city. The Council has been concerned that the recent coverage regarding past inadequate performance would deter young people and families that need help today from contacting the Council to express concerns, share evidence or make disclosures about child sexual exploitation.

For this reason the Council has been anxious to ensure that people understand we genuinely believe things have improved. No-one would want the unintended consequence of the focus on past cases to be that young people and families who need help today do not trust the Council enough to tell us they need our support.

The Council has to be careful that delivering a message about current service quality is not interpreted to mean we do not care about the people we have let down in the past. We need to demonstrate through our words and actions this is not the case.

The Council apologised publicly through the HASC and our sentiments are sincere. Our services were not good enough, we let young people and families down and we do not want to do so again. The Independent Inquiry will help to give a clear explanation of what went wrong and what is needed to ensure any failings identified are never repeated.

It is public knowledge our services for safeguarding young people were placed in Government Intervention in December 2009. It was at that point there was wide public knowledge that our services had failed and we started work with others to make improvements.

There has been substantial media coverage during the course of the last 12 months regarding serious cases of child sexual exploitation that have occurred within Rotherham in the past. The reported cases have generally covered the period 1999 to 2005.

Whilst the reported cases have ensured the victims are anonymous they relate to real experiences of young people who were, or still are, living in our town. The reporting of the cases cannot fail to have deeply disturbed anyone reading them and conveys a simple and stark message: things went badly wrong and young people were failed by agencies that ought to have been protecting them with catastrophic consequences.

Proposal

It is proposed that the Council commission an Independent Inquiry into past cases of child sexual exploitation within Rotherham. The Inquiry should cover the period 1997 to 2013 and should be conducted in two phases. The detailed Terms of Reference are attached at Appendix 1

There are some important underpinning principles:

- The Inquiry will be truly independent and the Terms of Reference demonstrate this.
- It will need to be undertaken by someone with the right skills, experience, ability and standing to immediately command public confidence.
- The findings will represent the bona fide opinion of the report author and will be endorsed as such.
- The Inquiry will tackle head-on the suggestions made by the media and other stakeholders that appropriate action has not been taken by agencies as a consequence of concerns about racial or ethnic sensitivities.
- The report will make recommendations that can be used by the Council and others to ensure any failings identified in the past are not repeated.
- The Council will be transparent in all of its actions and the Inquiry report and the Council response to it will be made public.

The dates for the Independent Inquiry extend beyond the time period during which the media has reported cases of child sexual exploitation. In 1997 the Council established its Risky Business team and one of the purposes of this at the time was to offer a preventative service to work with young people and keep them safe. This is considered to be an appropriate starting point in understanding when and how awareness of child sexual exploitation developed in the Council and other agencies. The earliest cases reported in the media will have been current at this point in time. It will provide opportunities for the Inquiry to determine the type of information coming forward and the way in which service delivery was responsive to it.

We know that child sexual exploitation of many differing types continues to take place today and agencies, working with parents and citizens, must be vigilant in combating it. Importantly the Council must demonstrate that it has improved its preventative and protection responses and that they are stronger today. Consequently, whilst this post-dates any of the cases reported in the media by several years, the end date for the Inquiry will be January 2013.

The Council has approached the Local Government Association (LGA) to advise on the availability and suitability of individuals of the right calibre, standing and experience to undertake the Inquiry. The LGA has agreed to commission the services of the relevant individual on behalf of the Council, subject to the Council agreeing the budget and underwriting it. This would further demonstrate the independence of the inquiry process.

The Inquiry has as its main focus finding out what went wrong and ensuring that the right things are put in place so they can never happen again. It is not intended to be a disciplinary investigation. The Council will need to consider the findings of the report and its response to it. If there is the need for follow-up action by the Council of any type, it will be addressed in the response to the Inquiry report.

Members should not under-estimate the challenges attached to undertaking this Inquiry. It is examining matters across a considerable time-span and whilst the Council's paper based records are good, as is inevitably the case with large organisations, many people at all levels of the organisation who had involvement or influence in some of these events will have moved on. Whilst current members and officers will be required to support the Inquiry, people who no longer work for the Council will be asked to do so on a voluntary basis.

Other Matters

The Council has improved its services for safeguarding young people following Government Intervention in December 2009 and is able to demonstrate this. An Improvement Board operated in Rotherham throughout the whole of 2010 and the early part of 2011. It designed and oversaw the implementation of an improvement plan, the Council was taken out of intervention in 2011 and there have been subsequent Ofsted inspections in 2010, 2012 and 2013 and a Peer Review in January 2011 demonstrating sustained improvement.

However, no single agency acting alone can protect young people from harm. Prior to the most recent series of media articles in August of this year and decision for an Independent Inquiry at the Cabinet meeting on 4th September, the Council already had plans in place for Barnardo's to undertake a multi-agency review of child sexual exploitation and Missing from Home Services within Rotherham. This work is imminent. The work will continue and members should note that the newly appointed Chair of the LCSB, who worked on Operation Yewtree and therefore has a strong background on child sexual exploitation, will play a pivotal role.

The work can be used to inform the Independent Inquiry, but it will not duplicate it as the main focus is the effectiveness and quality of inter-agency working. The work will

provide a further strand to enable the Council to continue to drive service improvement.

8. Finance

Financial provision will need to be made within the Council's revenue budget to fund the costs of the Inquiry. The full costs cannot be determined until the Terms of Reference have been shared with an appropriately qualified person and a fee agreed. Costs will be reported into Cabinet when known

9. Risks and Uncertainties

The usual risks relating to delivery of the Inquiry report on time and to an agreed budget will be managed through usual performance management and governance arrangements. The Inquiry report may make recommendation for action both by the Council and other agencies and the nature and scale of this is currently unknown. It is important the Inquiry is undertaken in a way that is responsive to the wishes and needs of young people that may have been the subject of sexual exploitation in the past. To support this the Council is committed to transparency with regard to the enquiry and the publication process. The Council has stated the intention to be transparent in its dealings which should be seen positively.

10. Policy and Performance Agenda Implications

This links directly to Corporate Plan priorities relating to the protection of vulnerable individuals, and will impact on all parts of the borough

11. Background Papers and Consultation

12. Contact: Martin Kimber, Chief Executive